

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTIN LOMAKOSKI and
DOUGLAS ROWE,

Plaintiffs,

v.

Civil Case No. 21-10747
Honorable Linda V. Parker

TOTAL RESPONSE EMS, INC.,

Defendant.

_____ /

DEFAULT JUDGMENT

On April 1, 2021, Plaintiffs Martin Lomakoski and Douglas Rowe (collectively “Plaintiffs”) filed this lawsuit against Defendant Total Response EMS, Inc. (“Total Response”) claiming retaliation in violation of the federal False Claims Act and Michigan Whistleblowers’ Protection Act. (ECF No. 1.) While Total Response initially responded to Plaintiffs’ Complaint, its defenses were stricken on December 7, 2022 (ECF No. 33), after its counsel successfully moved to withdraw and Total Response failed to obtain new counsel by the deadline set by the Court (ECF No. 27). Plaintiffs then obtained a Clerk’s Entry of Default on December 28, 2022. (ECF No. 33.) Presently before the Court is their Motion for Default Judgment. (ECF No. 34.)

In the motion, Lomakoski seeks the following damages: \$105,600.00 in backpay; \$412,800.00 in front pay; and \$300,000.00 in noneconomic damages

(stress, embarrassment, outrage, anxiety, and depression caused by his unlawful termination). (ECF No. 34 at Pg ID 170-71.) Rowe seeks the following damages: \$92,304.00 in backpay; \$859,560.00 in front pay; and \$300,000.00 in noneconomic damages (as defined above). (*Id.* at Pg ID 171-72.) Plaintiffs also request an award of attorney's fees and costs to be assessed at an appropriate, later time. (*Id.* at Pg ID 171-72.)

Plaintiffs establish their entitlement to a default judgment. Plaintiffs further establish that they are entitled to the damages requested under the False Claims Act and/or Whistleblowers' Act. *See* 31 U.S.C. § 3730(h)(2); Mich. Comp. Laws § 15.364; *United States ex rel. Felten v. William Beaumont Hosp.*, 993 F.2d 428, 434 n.3 (citing cases supporting unlisted remedies such as front pay or noneconomic compensatory damages under the False Claims Act).

Accordingly,

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiffs' motion for default judgment is **GRANTED** and Judgment is entered against Defendant Total Response EMS, Inc. and in favor of Plaintiffs Martin Lomakoski and Douglas Rowe in the amount of \$2,070,264.00, plus reasonable attorney's fees and costs to be assessed upon submission by Plaintiffs.

Dated: April 4, 2023

s/Linda V. Parker
HON. LINDA V. PARKER
UNITED STATES DISTRICT JUDGE